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PTO/SB21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

DPW

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|---|------------------------|------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/766,744 |
| | Filing Date | January 27, 2004 |
| | First Named Inventor | David Halpern |
| | Group Art Unit | 3736 |
| | Examiner Name | John P. Lacyk |
| Total Number of Pages in This Submission | Attorney Docket Number | 2100280-991102 |

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|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Response to Office Action | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Associate Power of Attorney, | <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input checked="" type="checkbox"/> Terminal Disclaimer | Response to Office Action (10 pgs.); |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Small Entity Statement | Check # 574744 for \$290.00; |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Request for Refund | Certificate of First Class Mailing (1 pg); |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | Return Postcard |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

| | |
|---|--|
| SIGNATURE OF APPLICANT, ATTORNEY OR AGENT | |
| Firm or Individual name | Kieun Sung (Reg. No. 48,639) Gray Cary Ware Freidenrich LLP |
| Signature | |
| Date | February 22, 2005 |

| | | | |
|---|---------------|------|-------------------|
| CERTIFICATE OF MAILING | | | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date | | | |
| Typed or printed name | Cathy Pittman | Date | February 22, 2005 |
| Signature | | | |

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
for FY 2005**Complete If Known**☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$290.00)

| | |
|----------------------|-----------------------------|
| Application Number | 10/766,744 |
| Filing Date | January 27, 2004 |
| First Named Inventor | David Halpern, Steve Jacobs |
| Examiner Name | John P. Lacyk |
| Art Unit | 3736 |
| Attorney Docket No. | 2100280-991102 |

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: 07-1896 Deposit Account Name: DLA Piper Rudnick Gray Cary US LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Small Entity Fee (\$) | Fee (\$) |
|---|-----------------------|----------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |
| Total Claims | | |
| - 20 or HP = _____ x _____ = _____ | | |
| HP = highest number of total claims paid for, if greater than 20 | | |
| Indep. Claims | | |
| - 3 or HP = _____ x _____ = _____ | | |
| HP = highest number of independent claims paid for, if greater than 3 | | |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

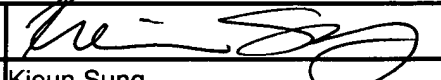
| | | | | |
|---------------------|---------------------|---|-----------------|----------------------|
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
| _____ - 100 = _____ | _____ / 50 = _____ | (round up to a whole number) x _____ | = _____ | |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Extension of time (2 mos. - small entity); Terminal disclaimer fee; 290

SUBMITTED BY

| | | | |
|-------------------|---|---|------------------------|
| Signature |  | Registration No. 48,639 (Attorney/Agent) | Telephone 650-833-2121 |
| Name (Print/Type) | Kieun Sung | | Date February 22, 2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

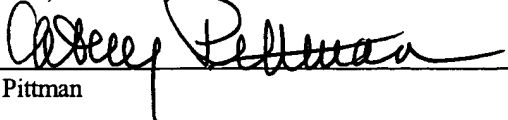
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DATE OF DEPOSIT: February 28, 2005

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Cathy Pittman

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

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Alexandria, VA 22313-1450

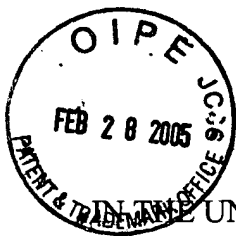
Sir:

Transmitted herewith for filing for:

U.S. Utility Patent Application S/N: 10/766,734 for
**METHODS FOR TREATING SOLID TUMORS
USING NEUTRON THERAPY**
FILED: January 27, 2004
INVENTOR(s): David Halpern

Enclosed are:

1. Transmittal Form (1 pg.);
2. Petition for Extension of Time (1 pg.);
3. Response to Office Action (10 pgs.);
4. Terminal Disclaimer (1 pg.);
5. Fee Transmittal FY 2005 (1 pg.);
6. Check no. 574744 for \$290.00;
7. Certificate of First Class Mailing (1 pg.); and
8. Return Postcard



UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/766,744 Confirmation No.: 2838
Applicant: David Halpern, Steve Jacobs
Filed: January 27, 2004
Group Art Unit: 3736
Examiner: John P. Lacyk
Docket No.: 2100280-991102
Customer No.: 26379

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents & Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450 on: February 22, 2005

Cathy Pittman
Cathy Pittman

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RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a response to the office action mailed on September 21, 2004, the statutorily shortened response period for which ended on December 21, 2004. An accompanying Petition for Extension asks to extend this response period by two months to Tuesday, February 22, 2005.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.